REMARKS

The Office Action dated November 10, 2008 has been carefully considered. Claims 17, 18, 33 and 36 have been amended. Claims 17, 18, 20, 26 and 33-36 are in this application.

The previously presented claims were rejected under 35 U.S.C. § 103 as obvious in view of U.S. Patent No. 2,968,790 to Carbonara in combination with U.S. Patent No. 7,167,076 to Wilson. Applicant submits that Carbonara and Wilson do not teach each of the features of the present claims.

In the present invention, user operated headlamp flashes given with certain range of frequency in a certain range of time are read by a detector which stimulates a wireless transmitter to open the garage door. The signal from the headlamps is not coded, proprietary, or individualistic. In fact, any vehicle, though not necessarily every vehicle, can trigger the detector simply by flashing their headlamps correctly within the frequency and time domain ranges. The transmitter includes a programmable code setting device to program the sequence of light pulses and the length of the light pulses for activation.

Carbonara discloses an electric lock to control operation of a garage door in which a hand wound clock work mechanism is used to operate the car headlights to generate a set of code pulses. As the lock disc rotates, a cam carried by a common shaft rotates to close a pair of door opener contacts and energizes.

In contrast to the invention defined by the present claims, Carbonara does not teach or suggest a transmitter unit which is activated by a predetermined sequence of light signals of a predetermined length within a predetermined period of time and wireless transmission of a coded signal from the transmission unit to the receiver unit. Further, Carbonara does not teach or suggest a programmable code setting device. Instead, Carbonara teaches a code setting device which is fixed as a rotatable lock disc having spaced tongues. There is no teaching or suggestion in Carbonara the the code setting device is programmable. Applicant submits that the programmable code setting device of the present invention allows the predetermined sequence of light signals of a predetermined length to be readily changed. In addition as noted by the Examiner, there is no teaching or suggestion in Carbonara of a wireless transmitting unit. Accordingly, the invention defined by the present claims is not obvious in view of Carbonara.

Wilson teaches a universal garage door operating system in which a hand held wireless transmitter including an activation button is received. A control module includes a receiver for receiving the wireless garage door transmitter. The control module includes a controller and a garage door transmitter actuator. Upon receipt by the receiver of a wireless signal from a vehicle transmitter, the controller controls the actuator to activate the garage door transmitter so that the garage door transmitter transmits a garage door control signal for use in operating the garage door.

In contrast to the invention defined by the present claims, Wilson does not teach or suggest a transmitter unit which is activated by a predetermined sequence of light signals of a predetermined length within a predetermined period of time and wireless transmission of a coded signal from the transmission unit to the receiver unit. Further, Wilson does not teach or suggest a programmable code setting device and does not cure the deficiencies of Carbonara noted above. In addition, Wilson does not teach or suggest a transmitter including a wireless transmitter for transmission of a coded control signal to a receiver unit connected to the door drive. Instead Wilson teaches wireless transmission of signals between a vehicle and a garage door transmitter received in a control module, but does not teach or suggest that wireless signals are used between a wireless transmitter and a receiver unit connected to the door drive. Accordingly, the invention defined by the present claims is not obvious in view of Carbonara in combination with Wilson.

The previously presented claims 17 and 18were rejected under 35 U.S.C. § 103 as obvious in view of U.S. Patent No. 2,968,790 to Carbonara in combination with U.S. Patent No. 7,167,076 to Wilson and U.S patent No. 5,978,483 to Thompson et al.

Thompson et al. disclose a remote keyless entry system in which an encryption algorithm is used to generate a multibit message having a pseudorandom number, key code and transmitter identification code encrypted within. The encryption algorithm generates the multibit message as a function of a pseudorandom number generator, a fixed key code table, ID and a switch command code. The ID code can be set according to DIP switches.

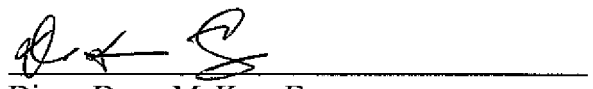
In contrast to the invention defined by the present claims, Thompson does not teach or suggest a transmitter unit which is activated by a predetermined sequence of light signals of a

predetermined length within a predetermined period of time and wireless transmission of a coded signal from the transmission unit to the receiver unit. Further, Thompson does not teach or suggest a programmable code setting device and does not cure the deficiencies of Carbonara and Wilson noted above. In addition, Thompson uses DIP setting switches to set an ID code. However, Thompson does not teach or suggest that a DIP switch is used for programming the code setting device to set the predetermined sequence of light signals of a predetermined length. Accordingly, Thompson is unrelated to the invention defined by the present claims and the invention defined by the present claims is not obvious in view of Carbonara in combination with Wilson and Thompson.

In view of the foregoing, Applicant submits that all pending claims are in condition for allowance and request that all claims be allowed. The Examiner is invited to contact the undersigned should he/she believe that this would expedite prosecution of this application. It is believed that no fee is required. The Commissioner is authorized to charge any deficiency or credit any overpayment to Deposit Account No. 13-2165.

Respectfully submitted,

Dated: February 9, 2009



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